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FILED

Aug 23 2023

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA, No. 18-CR-00587-JST-2
Plaintiff,
v.
HEZEKIAH HOWARD,
Defendant.

Plaintiff United States of America, by and through its counsel of record, the United States Attorney for the Northern District of California and Assistant United States Attorney Leif Dauth, and defendant Hezekiah Howard (“Defendant”), by and through his counsel of record, Harris B. Taback, hereby stipulate as follows:

1. On January 19, 2023, Defendant had his initial appearance on an amended Form 12 petition alleging that he had violated the terms of his federal supervised release. He was detained.

2. A status hearing is currently scheduled for August 24, 2023. However, at the defense's request, the government recently re-produced the discovery in a different format, which defense counsel has been reviewing in-person with defendant. The parties are still awaiting the results of DNA testing that is being conducted, which will impact how the case is resolved.

3. Additionally, defense counsel will be outside the district for the month of September.

Plaintiff United States of America, by and through its counsel of record, the United States Attorney for the Northern District of California and Assistant United States Attorney Leif Dauth, and defendant Hezekiah Howard (“Defendant”), by and through his counsel of record, Harris B. Taback, hereby stipulate as follows:

1. On January 19, 2023, Defendant had his initial appearance on an amended Form 12 petition alleging that he had violated the terms of his federal supervised release. He was detained.

2. A status hearing is currently scheduled for August 24, 2023. However, at the defense's request, the government recently re-produced the discovery in a different format, which defense counsel has been reviewing in-person with defendant. The parties are still awaiting the results of DNA testing that is being conducted, which will impact how the case is resolved.

3. Additionally, defense counsel will be outside the district for the month of September.

1 4. Accordingly, the parties request that the status regarding preliminary revocation
2 hearing currently scheduled before this Court on August 24, 2023, be continued to October 18,
3 2023, at 10:30 a.m. before the Oakland duty magistrate judge.

4 **IT IS SO STIPULATED.**

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6
7 DATE: August 23, 2023

Respectfully submitted,

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9 ISMAIL J. RAMSEY
10 United States Attorney

11 _____
12 /s Leif Dautch
13 LEIF DAUTCH
14 Assistant United States Attorney

15 DATE: August 23, 2023

16 _____
17 /s Harris B. Taback (signed with permission)

18 Harris B. Taback
19 Counsel for Defendant Hezekiah Howard

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21 **ORDER**

22 The Court has read and considered the Stipulation Regarding Request for Continuance of
23 Hearing filed by the parties in this matter. The Court hereby finds that the Stipulation, which this
24 Court incorporates by reference into this Order, demonstrates facts that support a continuance in this
25 matter.

26 THEREFORE, FOR GOOD CAUSE SHOWN: The status hearing in this matter currently
27 scheduled for August 24, 2023 is continued to 10:30 a.m. on October 18, 2023 for status.

28 IT IS SO ORDERED.

29
30 _____
31 August 23, 2023
32 DATE

